

## **REMARKS**

Reconsideration of the application in light of the amendments and the following remarks is respectfully requested.

### **Status of the Claims**

Claims 1-15 and 18-28 are pending. Claim 17 has been canceled without prejudice or disclaimer of the subject matter contained therein. Claim 16 was canceled in a previous response. Claims 12 and 18 have been amended. No new matter has been added.

Claim 12 has been amended to recite the features of dependent claim 17, which the Examiner indicated to be allowable subject matter. Claim 18 has been amended to recite its dependency from claim 12.

### **Allowable Subject Matter**

Applicants appreciatively acknowledge the Examiner's allowance of claims 1-11, and the indication of allowable subject matter in claims 17-22.

### **Rejection Under 35 U.S.C. § 102**

Claims 12, 14-15, 23 and 26-27 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Published Application 2002/0141374 to Boetzel.

Independent claim 12 has been amended to recite that "said signal information stored in said memory unit is updated altogether in a range where high correlations between said corresponding hopping frequencies exist." The Examiner has indicated that this feature, formerly recited in cancelled claim 17, is allowable subject matter. Therefore, Applicants submit that claim 12 is in condition for allowance.

Claims 14-15, 23 and 26-27 depend from claim 12. Applicants submit that claims 14-15, 23 and 26-27 are patentable over Boetzel for at least the same reasons as claim 12. Reconsideration and withdrawal of the rejection is requested.

**Rejection Under 35 U.S.C. § 103**

Claim 13 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Boetzel in view of U.S. Patent No. 5,561,673 to Takai et al. (“Takai”). Claim 24 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Boetzel in view of the Examiner’s statement of what was known in the art at the time of the invention. Claims 24-25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Boetzel in view of U.S. Patent No. 6,594,475 to Anvekar et al. (“Anvekar”). Claim 28 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over under 35 U.S.C. § 103(a) as being unpatentable over Boetzel in view of U.S. Patent No. 6,563,858 to Fakatselis et al. (“Fakatselis”).

Claims 13, 24-25 and 28 depend from amended claim 12. Applicants submit that claims 13, 24-25 and 28 are patentable over the respective combination of references because of the inclusion of allowable subject matter in claim 12, which the Examiner states “the prior art fails to disclose or make [] obvious.” (Detailed Action, item 10, page 7.) Reconsideration and withdrawal of the rejection is requested.

**CONCLUSION**

Each and every point raised in the Office Action dated June 27, 2005 has been addressed on the basis of the above amendments and remarks. In view of the foregoing it is believed that claims 1-15, 18-28 are in condition for allowance and it is respectfully requested

that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Respectfully submitted,



Richard J. Katz  
Reg. No. 47,698  
Attorney for Applicants

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DARBY & DARBY, P.C.  
Post Office Box 5257  
New York, N.Y. 10150-5257  
Phone: (212) 527-7700